

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Christopher Wheeler,)	
)	
Plaintiff,)	Case No. 22-cv-3020
)	
v.)	Honorable Lindsay C. Jenkins
)	
Officer Jordan Lyles,)	
)	
Defendants.)	

**DEFENDANTS' UNOPPOSED MOTION
TO FILE PLEADINGS UNDER SEAL**

NOW COMES Defendant, OFFICER JORDAN LYLES, by and through his attorneys, DeVore Radunsky LLC, pursuant to Northern District of Illinois Local Rule 26.2(b), and for his Unopposed Motion to File Pleadings Under Seal, states as follows:

1. On October 19, 2023, this Court entered an Agreed Confidentiality Order (“The Confidentiality Order”). (ECF No. 51.)
2. The Confidentiality Order specifically references “personal identity information” as protected documents. (ECF No. 51, ¶ 2(e)).
3. The Confidentiality Order provides that “[t]he parties reserve the right to seek greater protection of information or documents designated as Confidential Information through Court intervention or by agreement of the parties.” (ECF No. 51, ¶ 2(i)(2))
4. On January 4, 2024, Defendant filed a Suggestion of Death with the Court as to Plaintiff Christopher Wheeler. (ECF No. 57.)
5. This Court’s January 8, 2024, Order, directed Defense Counsel “to file an amended Suggestion of Death by January 30, 2024, which, to the extent possible and based upon their

knowledge, information and belief, identifies a successor or representative for Plaintiff.” (ECF No. 58.)

6. As of January 9, 2024, no probate case has been opened for Plaintiff, and no individuals are known with certainty to be in charge of an estate.

7. Defendants at this time only possess the identities of two potential next of kin who may be able to represent Plaintiff’s interests.

8. However, Defense Counsel takes issue with placement of this information on the public court record as it is derived from sensitive information received from Defense Counsel’s clients and from Plaintiff himself during his detainment with CCDOC.

9. Courts may appropriately grant leave to file documents under seal when, as here, “there is a shown need to maintain confidentiality of a particular document.” *Sasu v. Yoshimura*, 147 F.R.D. 173, 177 (N.D. Ill. 1993).

10. Upon a showing of good cause under Local Rule 26.2, courts require filing under seal documents, such as nonpublic records, to rightfully “limit use and dissemination.” *O’Malley v. Village of Oak Brook*, Case No. 07-C-1679, 2008 WL 345607, at *2-3 (N.D. Ill. Feb. 6, 2008) (citing *McGee v. City of Chicago*, No. 04-C-6352 (N.D. Ill. Jan. 9, 2006) (Dkt. #101, Minute Order)).

11. Defendant’s Amended Suggestion of Death contains private identifying and location information of family members of Plaintiff Christopher Wheeler, which fall within a category of protected sensitive, personal, and confidential information.

12. Accordingly, Defendants request this Honorable Court enter an Order to protect this pleading by requiring its filing under seal.

13. Granting this motion and requiring the filing of Defendant's Amended Suggestion of Death under seal is not prejudicial to the Plaintiff, nor is this motion brought for any improper purpose.

14. If permitted by this Court, undersigned counsel is prepared to file the Suggestion of Death under seal containing the identities and (upon information and belief) contact information for Mr. Wheeler's emergency contacts, as such information was provided by Mr. Wheeler to the CCSO at intake.

WHEREFORE, Defendants respectfully request that this Honorable Court enter an order as follows:

1. Defendant's Motion to File Pleadings Under Seal is granted;
2. Defendant May File its Amended Suggestion of Death as to Plaintiff Christopher Wheeler under Seal.

Respectfully Submitted,

By: /s/ Zachary G. Stillman
Zachary G. Stillman, One of the Attorneys for
Defendants

Jason E. DeVore (ARDC # 6242782)
Troy S. Radunsky (ARDC # 6269281)
Zachary G. Stillman (ARDC # 6342749)
230 W. Monroe Street, Ste. 230
Chicago, IL 60606
(312) 300-4479 telephone
tradunsky@devoreradunsky.com

CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that Defendants' Motion to File Pleadings Under Seal was filed on January 10, 2024, with the Northern District of Illinois ECF System, serving a copy to all parties.

/s/ Zachary Stillman
Zachary Stillman